

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Feb 20, 2025**

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Kyle David Milton

Case Number: 0980 2:13CR06035-EFS-1

Address of Offender: [REDACTED] Spokane Valley, Washington 99212

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: April 22, 2015

Original Offense: Possession of a Controlled Substance with Intent to Distribute Methamphetamine, 21
U.S.C. § 841(a)(1)Original Sentence: Prison - 127 months
TSR - 60 months

Type of Supervision: Supervised Release

Amended Sentence: Prison - 120 months
(December 20, 2022) TSR - 60 months

Asst. U.S. Attorney: U.S. Attorney's Office

Date Supervision Commenced: January 8, 2024

Defense Attorney: Federal Defender's Office

Date Supervision Expires: January 7, 2029

PETITIONING THE COURT

To issue a summons.

On January 8, 2024, an officer with the U.S. Probation Office in Spokane, Washington, reviewed a copy of the conditions of supervision with Mr. Milton, as outlined in the judgment and sentence. He signed a copy acknowledging the requirements.

The probation officer believes that the offender has violated the following conditions of supervision:

| <u>Violation Number</u> | <u>Nature of Noncompliance</u> |
|-------------------------|--------------------------------|
|-------------------------|--------------------------------|

1

Special Condition #14: Defendant shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On or about December 10, 2024, Kyle Milton allegedly violated special condition number 14 by consuming methamphetamine.

On December 13, 2024, the undersigned probation officer contacted Mr. Milton and instructed him to report to the U.S. Probation Office for random urinalysis testing. Later that afternoon, the offender contacted this officer and advised he would not be able to report to the probation office as instructed, because of work. Because it was a Friday, the undersigned became suspicious that Mr. Milton was attempting to postpone having to submit to urinalysis testing. The offender was notified of this officer's concerns, but he insisted he had not used

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any illicit substances, and he was subsequently instructed to report to the probation office on Monday morning, December 16, 2024.

On December 16, 2024, Mr. Milton reported to the U.S. Probation Office as instructed. At that time, a sweat patch was applied to the offender; he immediately began citing “stories” he had heard from others in his drug treatment groups about how inaccurate sweat patch testing is.

On December 19, 2024, the offender again reported to the U.S. Probation Office. The sweat patch was removed and sent to the laboratory for testing. During that meeting, Mr. Milton once again insisted he had not used any illicit substances.

On January 14, 2025, this officer received the laboratory results of the sweat patch; it was positive for methamphetamine, and amphetamine.

On January 23, 2025, Mr. Milton reported to the U.S. Probation Office to meet with this officer. The offender ultimately signed an admission of use form admitting to the use of methamphetamine on or about December 10, 2024.

2 **Special Condition #14:** Defendant shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On or about February 15, 2025, Kyle Milton allegedly violated special condition number 14 by consuming methamphetamine.

On February 18, 2025, this officer attempted to contact the offender at approximately 11:06 a.m., in order to instruct him to report to the probation office for random urinalysis testing. When Mr. Milton did not answer, the undersigned left a voice message requesting a call back.

The offender did not respond to this officer until approximately 9:12 p.m. that evening, on February 18, 2025, when he sent a text message claiming that he had just noticed this officer’s voice message.

On the morning of February 19, 2025, the offender was instructed to report to the probation office by 9 a.m., for random urinalysis testing.

As instructed Mr. Milton reported to the U.S. Probation Office on February 19, 2025. At that time, he was subject to random urinalysis testing and provided a urine sample that was presumptive positive for methamphetamine.

Mr. Milton subsequently admitted to the use of methamphetamine on or about February 15, 2025, and he signed an admission of use form confirming that use.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the offender to appear to answer to the allegations contained in this petition.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 02/19/2025

s/Amber M.K. Andrade

Amber M.K. Andrade

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

February 20, 2025

Date